

SEP 24 2019

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

Vs.

Ronald Tyrone Smith

CRIMINAL COMPLAINT

Case Number:

2:19mj3703

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about September 24, 2019 in Brooks County, in the Southern District of Texas, defendant, **Ronald Tyrone Smith**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

In violation of Title 8 United States Code, Section(s) 1324
 I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

See Attached Affidavit of U.S. Border Patrol Agent **Carlos Rodriguez**

Continued on the attached sheet and made a part of this complaint:

Yes No


 Signature of Complainant
Carlos Rodriguez

Printed Name of Complainant

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

September 24, 2019

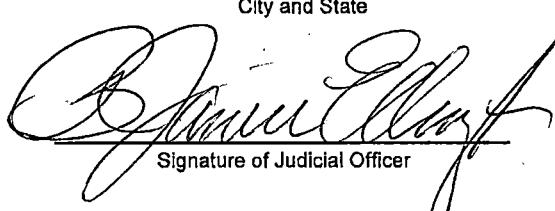
Date

at Corpus Christi, Texas

City and State

B. Janice Ellington U.S. Magistrate Judge

Name and Title of Judicial Officer


 Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

SYNOPSIS:

On September 24, 2019, Ronald Tyrone SMITH was arrested for attempting to smuggle two undocumented aliens through the Falfurrias, Texas Border Patrol Checkpoint.

ENCOUNTER:

On September 24, 2019, a Border Patrol Agent (primary) was performing immigration inspection duties at the Falfurrias, Texas Border Patrol Checkpoint. At approximately 1:40 a.m., the primary agent observed a red in color sedan attempting to move from the tractor trailer inspection lane to the passenger vehicle inspection lane and then back to the tractor trailer inspection lane. A second Border Patrol Agent (canine handler) instructed the driver of the red sedan to move to the passenger inspection lane. When the vehicle arrived at the inspection lane, the primary agent noticed two individuals inside the vehicle. The primary agent asked the driver, later identified as Ronald Tyrone SMITH, What it was that he was doing? SMITH replied that he did not know and that it was his first time traveling through the checkpoint. The primary agent noticed SMITH was extremely nervous as he slurred when he responded and trembled while fidgeting with his wallet to pull out his driver's license. The primary agent then asked the passenger, later identified as Eugenio Romualdo OROZCO-Rodriguez, if he was a United States citizen. OROZCO replied in broken English, "Yes, Sir."

At this point, the canine handler indicated that his service dog was alerting to the vehicle. The primary agent asked SMITH if he could place the vehicle in park and open the trunk. SMITH began to nervously fidget with the vehicle's shifter and activated the emergency parking brake. The primary agent asked him several times to place the vehicle in park and to open the trunk. SMITH was unable to do so, due to his nervous state. Due the SMITH's erratic driving, his nervous behavior, the dog alerting to the vehicle, and his refusal to comply with simple commands, the primary agent instructed SMITH to step out of the vehicle.

The primary agents determined that the passenger (OROZCO) was a citizen of Guatemala illegally present in the United States. The agents then accessed the trunk through the back seat and found a female, later identified as Maria DELGADO-Salinas, hiding inside the trunk.

It was determined that DELGADO was a citizen of Mexico illegally present in the United States. OROZCO & DELGADO were placed under arrest for being in the United States illegally. SMITH was placed under arrest for alien smuggling.

MIRANDA WARNINGS:

All three subjects were advised of their Miranda Rights in their preferred languages. All three acknowledged that they understood their rights and stated they were willing to provide statements.

RONALD TYRONE SMITH'S STATEMENT:

SMITH initially provided a fictitious statement but recanted it and provided the following:

SMITH stated an unknown person offered him an unknown amount of money to take two people to Houston, Texas. He was expecting around \$800 but he was not sure. SMITH stated that the unknown man told him to be at the Walmart in Edinburg, Texas (on September 23, 2019) at approximately 10:30 p.m. SMITH was dropped off at Walmart where he observed the red Buick vehicle with a male and a female sitting in the rear seat. SMITH claimed he was just instructed to take the two people to Houston, Texas. SMITH knew the two subjects were illegal aliens because they only spoke Spanish and because he was getting paid to transport them to Houston. SMITH claimed a couple of minutes before arriving to the Falfurrias Checkpoint, the female got inside of the trunk.

EUGENIO ROMUALDO OROZCO-RODRIGUEZ' STATEMENT:

OROZCO stated he entered the United States illegally by crossing the Rio Grande River. After entering the United States, he was taken to a house in Rio Grande City and then to another house in McAllen. OROZCO stated on September 23, 2019, he was transported to a Walmart where he and DELGAGO were loaded into a red car. Three minutes after getting in, a black male who did not know Spanish came in and drove them north to the checkpoint. Prior to entering the car, the black male was given instructions about the female getting smuggled inside the trunk. Ten minutes before arriving to the checkpoint, DELGADO went inside the trunk of the car.

MARIA GUADALUPE DELGADO-SALINAS' STATEMENT:

DELGADO stated she entered the United States illegally by crossing the Rio Grande River near Hidalgo, Texas. DELGADO refused to talk about her smuggling arrangements, she just stated that she just got inside the car and her final destination was Houston, Texas.

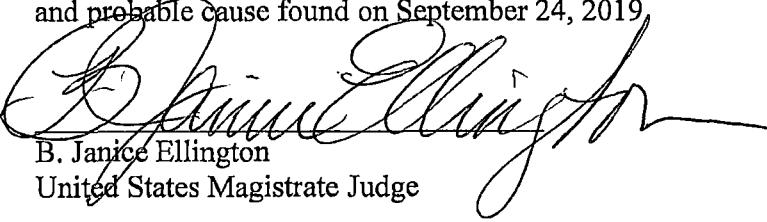
DISPOSITION:

The facts of this case were presented to Assistant United States Attorney Sara Popejoy who accepted Ronald Tyrone SMITH for prosecution of 8 USC 1324, Alien Smuggling. Both material witnesses will be held as material witnesses.



Carlos Rodriguez
Border Patrol Agent

Submitted by reliable electronic means, sworn to,
signature attested telephonically per Fed.R.Crim.P.4.1,
and probable cause found on September 24, 2019



B. Janice Ellington
United States Magistrate Judge